

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 4:11-CR-00208
:
v. : VIO: 49 U.S.C. § 60123(d)
:
HENRY VIRGIL BENTON : Electronically Filed

I N F O R M A T I O N

THE UNITED STATES ATTORNEY ALLEGES:

Introduction

1. Chief Oil & Gas LLC ("Chief Oil & Gas"), based in Dallas, Texas, was engaged in the exploration, development and production of oil and natural gas reserves in several fields throughout the continental United States, including Marcellus Shale located in Pennsylvania.
2. Chief Gathering LLC ("Chief Gathering") was a subsidiary of Chief Oil & Gas which constructed and operated pipelines to deliver natural gas from wellheads to interstate and intrastate pipelines that ultimately redeliver to industrial end users and consumers.
3. Chief Oil & Gas and Chief Gathering were engaged in activities affecting interstate and foreign commerce.
4. Holloman Corporation ("Holloman"), based in Houston Texas, was a construction and engineering company which designed

and built facilities and systems used in the production, storage, transmission, and distribution of natural gas.

5. Chief Oil & Gas and Chief Gathering engaged Holloman to construct a natural gas pipeline, known as the Emig Line, in Cogan House Township, Lycoming County Pennsylvania, to be used to transport natural gas from wells to other pipelines for storage, transmission, and distribution throughout the United States.

6. The defendant, HENRY VIRGIL BENTON, was employed by Holloman for approximately five weeks until his employment was terminated by Holloman on June 15, 2011.

7. The Emig Line was an "energy facility" that was involved in the production, storage, transmission, and distribution of natural gas as defined in Title 18, United States Code, Section 1366(c).

8. The Emig Line was an "intrastate gas pipeline facility" and a "gas pipeline facility," as defined in Title 49, United States Code, Sections 60101(a)(9) and 60101(a)(18).

THE UNITED STATE ATTORNEY CHARGES:

COUNT TWO
Knowingly/Willfully
Damaging Pipeline Facility
During Excavation Activity
49 U.S.C. § 60123(d)

1. The United States Attorney incorporates the preceding count as if set forth herein at length.

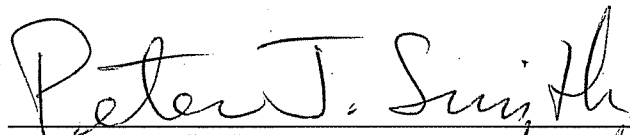
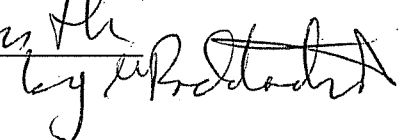
2. From on or about June 6, 2011 through on or about June

15, 2011, in Lycoming County, within the Middle District of Pennsylvania, and elsewhere, the defendant

HENRY VIRGIL BENTON

did knowingly and willfully engage in an excavation activity without paying attention to appropriate location information and markings established by the operator of a pipeline facility and subsequently damaged a pipeline facility that resulted in actual damage to property of more than \$50,000, in that the defendant used a track hoe excavator to excavate, unearth, and expose the gathering pipeline known as the Emig Pipeline in Cogan House Township, Lycoming County, without paying attention to location information and markings for that pipeline, and thereby caused actual damage to the Emig Pipeline of more than \$50,000.

All in violation of Title 49, United States Code, Section 60123(d)(1)(B); (2).


PETER J. SMITH
United States Attorney 

Date: April 3, 2012